

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

vs.

(1) Kimberly Lynn Cardenas Garcia

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NO: AU:24-CR-00280(1)-RP

ORDER ACCEPTING REPORT AND RECOMMENDATION -
OF THE UNITED STATES MAGISTRATE JUDGE

Before the court is the above styled and numbered cause. On January 31, 2025 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) Kimberly Lynn Cardenas Garcia, which alleged that Garcia violated a condition of her supervised release and recommended that Garcia 's supervised release be revoked (Clerk's Document No. 3). A warrant issued and Garcia was arrested. On May 16, 2025, Garcia appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set..

Garcia appeared before the magistrate judge on May 30, 2025, waived her right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on May 30, 2025, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense and the intervening conduct of Garcia, the magistrate judge recommends that this court continue Garcia supervised release. The magistrate judge recommends the additional following

special conditions: none (Clerk's Document No. 19).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en banc*). The parties in this cause were properly notified of the consequences of a failure to file objections.

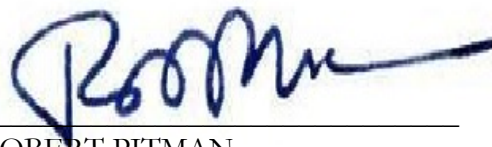
On May 30, 2025, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 18). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 19) is hereby ACCEPTED AND ADOPTED by this court.

IT IS FURTHER ORDERED that Defendant Kimberly Lynn Cardenas Garcia's term of supervised release is hereby CONTINUED.

IT IS FURTHER ORDERED that all prior conditions of supervised release are reimposed.

Signed this 30th day of May, 2025.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE